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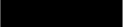
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Clarkstown - What They Don't Want You To Know

April 22 at 6:00 AM · 🌐

New York State Attorney General: *Who Is Discriminating Against Whom Here? On The One Hand 'The Homes Will Be Marketed To Hasidic Families' While On The Other Hand 'The Building Permit Denial Is An Overt And Express Declaration Of Unlawful Exclusionary Land Use Practice Specifically Targeted At The Orthodox Jewish Community'.*

Chris McKenna writes in the Times Herald Record

A developer who bought a vast land tract in Sullivan County with approvals in place to build 2,600 homes has been skirmishing with Forestburgh officials for months over their refusal to issue construction permits.

The town approved two houses in 2020 but rejected later applications, saying the developer who took over the dormant Lost Lake Resort project was set to deviate from the approved plans by building affordable housing instead of an upscale community with an 18-hole golf course.

The developer's attorney says the entire project, including the golf course and other amenities, will be built exactly as approved, and argues that town officials are grasping for excuses to stop construction of homes **that will be marketed to Hasidic families.**

The feud is playing out on two fronts. Forestburgh's zoning board of appeals is set to decide the fate of 15 building permits the town's building inspector rejected in November and January. And the developer has filed two lawsuits in state court to challenge town consultant payments and demand copies of town officials' emails and other records.

In a court statement this month, Javid Afzali, a lawyer advising the town on Lost Lake Resort, called one lawsuit "the first salvo in what the Town anticipates will be a multi-year, multi-action effort by Petitioner to strong arm and bully a rural town of about 800 residents into acquiescing to a multi-million-dollar development" after altering the nature of the project.

Steven Barshov, the developer's lawyer, called Forestburgh's permit denial "illegal and shameful" and its reasoning discriminatory.

"The very face of the Building Permit Denial is an overt and express declaration of an unlawful exclusionary land use practice specifically targeted at the Orthodox Jewish community," Barshov wrote in his appeal to the zoning board.

One pending suit claims Forestburgh officials improperly used an escrow account funded by Double Diamond to pay Afzali and a planner to advise them on Lost Lake Resort after the property changed hands. Barshov argues those consultants were used to obstruct the project and demands the town reimburse the escrow account, which now belongs to the new developer.

Town officials say in court papers they have spent about \$18,000 of the \$21,000 that remained in the account after Double Diamond stopped work. They plan to return \$2,100 but contend the remaining charges were legitimate.

The plans for a community far larger than the existing population of the rural Catskills town date back to 2008, when a Dallas-based developer pitched its resort proposal for a 3.3-mile swath of land off St. Joseph's and Cold Spring roads.

Town officials approved the plans in 2013 and joined supporters at a ribbon-cutting celebration for the project the following year. Double Diamond Companies then began installing water and sewer lines and building roads, but dropped Lost Lake Resort after selling only about 150 housing lots, too few to continue. No houses had been built.

In July 2020, a pair of limited-liability companies bought the 2,100 acres for \$9.5 million. Mordechai Halberstam, a builder who lives in the Rockland County village of Chestnut Ridge, told the Times Herald-Record two months later that he and his family had paid \$13.3 million in all for the property and related assets.

"They didn't have buyers, basically," Halberstam said of Double Diamond at the time. "They just walked. That's our business: when people walk, we walk in."

The town approved the new owner's first two applications to build 1,880-square-foot houses in November 2020. But it later withdrew one permit, after discovering the developer didn't own that lot yet, and rejected the third application in November 2021 after months of back-and-forth with the developer.

In a letter to town officials a month earlier, Barshov, the developer's lawyer, said **his client will offer 'reasonably priced and affordable units to Hasidic Jewish families** who have a very significant unmet demand for such units." He warned his client would sue over civil rights and fair housing claims if the town continued its "obstruction and delay" in issuing permits.

The reference to affordable housing in that letter was then used to deny the permit. Glenn Gabbard, the town building inspector, wrote that Barshov's description differed from the upscale resort the town approved and didn't say if "other project components will remain the same or whether anticipated impacts of an affordable housing community were contemplated or reviewed prior to the 2013 approval."

Gabbard echoed that objection in January when he declined to review 14 new permit applications to build homes ranging from 3,120 square feet to 4,800 square feet.

Barshov argued in his appeal that the pricing of the homes was irrelevant and that the town couldn't legally deny permits if Halberstam chose to sell homes for "less than the maximum profit."

Lost Lake Resort was approved to be built in seven phases, with 400 houses and the first nine holes of the 18-hole golf course in the first phase. Amenities to be added in future phases include a hotel, a restaurant, a clubhouse, a pool and a driving range. More than half of the 2,600 homes are supposed to be seasonal or secondary homes, according to Afzali, the town lawyer.

https://www.lohud.com/_/town-officials.../7365395001/



A photograph of a paved road leading into a wooded area, flanked by two white signs that read "LOST LAKE" with a stylized "L" logo. The road is straight and leads into a dense forest of tall trees. The sky is clear and blue. The signs are white with black text and a logo. The road is paved and appears to be a driveway or a private road. The trees are green and lush, suggesting a summer or early autumn setting. The overall scene is peaceful and scenic.

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Bruce Goldsmith 🤔

 Aron Schwartz

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Martin Burger

Bruce Goldsmith <https://www.chailifeline.org/events/midatlantic/golf>CHAILIFELINE.ORG
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Like Reply 5d

Reply to Bruce Goldsmith...



Raj Sama

It's comical how a certain demographic will cry Anti-semitism when they don't get their way while planning a "community" that will EXCLUDE all other faiths/peoples and solely benefit their insular community. If any other "religious communities" did the same, they'd be on receiving end of all kinds of Fair Housing Act lawsuits.

Like Reply 1w

Top fan

Jody Fox

Raj Sama - The community you talk is a small subset of the larger Jewish community in the United States which is well integrated with the population. The Orthodox represent only 10% of the Jewish population and the ultra Orthodox and Hasidic are even smaller subset who take advantage of RLUIPA.

<https://www.statista.com/.../denominational-affiliation.../>STATISTA.COM
Denominational affiliation of Jews in the U.S. in January 2017 | Statista

Like Reply 1w

Top fan

Kelley Bless

Jody Fox is it really important how large a "community" that practices these things is? In one aspect, yes, it's important that the entire Jewish population doesn't bear the brunt of the negative impression this "community" creates, or bears the brunt of the anger. In another, it doesn't matter how big it is, because it is setting a goliath size legal precedent for taxpayer funded discrimination, bias and bigotry. Raj is 110% correct when he says anyone else attempting this would be sued out of existence, fair housing it is not, and never will be.

Like Reply 1w

Top fan

Jody Fox

Kelley Bless - I agree with you. The Justice Department should investigate any residential building which specifically is designed to exclude anyone.

Like Reply 1w

Reply to Raj Sama...



Anthony Pavia

Rockland is full!

Like Reply 1w



Joseph Koval

And the "politicians" will quietly give them what they want. Local and at the highest levels of government. Saw it first hand in Rockland. DISGUSTING!

Like Reply 1w



Michael August

Joseph Koval they are trying to fight it but how much money do you think a town of 800 people has??

Like Reply 1w



Joseph Koval

Michael August such a shame

Like Reply 1w



Kelley Bless

Michael August what they need is a "white knight" that will represent them pro bono!

Like Reply 1w



Scott Wigandt

Joseph Koval Don't you know, the prior Governor, like a lot of politicians turned the other way, as a give back for gaining the "bloc vote". And it was another Democratic President (Bill Clinton) and his wife that came up with the whole RLUIPA scam, that allowed his wife to become State Senator in NY. It's how these blue states function (NY & NJ). Give back for large scale voting endorsements.

Like Reply 6d

Reply to Joseph Koval...



Peter Di Nuzzo

White non hasidic, black, latino, asian ect are not allowed to buy.

Like Reply 1w



Zoey Kola

Wonder what would happen if all of us tried to buy a home there. Would it be legal to keep non-Hasidic people from purchasing a home? Can always resell after buying for a nice profit. Or sue for discrimination....

Like Reply 6d



Susan Romeo

Zoey Kola I think we should try! Better yet, they should be mandated to sell at least 15% to veterans, seniors or any group that requires affordable housing! That would be fair.

Like Reply 6d



Kelley Bless

We've done this experiment several times. Had a black couple walk into the realtor and be told all units were sold. Had a gay couple walk in told the same thing. We did this with several different couples of different ethnic

backgrounds and different faiths. They would be a couple, divorced and single like





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Michael August

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Like Reply 1w

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Like Reply 6d



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we've done this experiment. several times, had a black couple walk into the reator and be told all units were sold. had a gay couple walk in told the same thing. we did this with several different couples of different ethnic backgrounds and different faiths. then we had a couple dressed and acting like haredi. that spoke yiddish. walk in. they were given an application and a tour. the discrimination practiced here is disgusting, but authorities who should be addressing this are turning a blind eye. even with video and/or audio recordings.

Like Reply 6d



Zoey Kola

Did you ever contact a lawyer?

Like Reply 6d



Kelley Bless

Zoey Kola we turned over both audio and video to the county prosecutor. NOTHING was done. i believe the leader of our group also sent a copy to grewall, the state attorney general. nothing done there, either...except to file an "antisemitism" suit. against jackson. it was also offered to the media. nothing. it's pretty obvious that the fix is already in in nj

Like Reply 6d



Zoey Kola

I would guess the county prosecutor, etc had a conflict of interest\$ More likely a private lawyer representing someone would be a better choice if this is challenged in the future.

Like Reply 5d



Kathy Charters Mahoney

So sick of them pulling the anti semitic card every time they are denied!!!! The poorest community does the most building????? And continue to buy up existing neighborhoods

Like Reply 6d



Kelley Bless

Kathy Charters Mahoney the answer here is RICO, and the corporate transparency act. along with the IRS. track the money. but ignore the screaming of "targeted antisemitism" at the same time.

Like Reply 6d



Kathy Charters Mahoney

Kelley Bless I can't understand why they aren't investigating

Like Reply 6d



Kelley Bless

Kathy Charters Mahoney because it's being blocked by some VERY influential people.

Like Reply 6d



Kathy Charters Mahoney

Kelley Bless it's really unbelievable what the politicians do for the bloc vote!!

Like Reply 5d



Frank Mark Granata

Kathy Charters Mahoney , I totally agree with you!!! I'm totally totally sick of the anti -Semitic card!!!

Like Reply 5d



Reply to Kathy Charters Mahoney...



a comment...

